

Notice of Allowability

Application No.

09/455,823

Examiner

Mary Cheung

Applicant(s)

FREELING ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed on February 1, 2005.
2. ☒ The allowed claim(s) is/are 1-35.
3. ☒ The drawings filed on 06 December 1999 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

2. Authorization for this examiner's amendment was given in a telephone interview with Peter Trzyna on May 10, 2005.

In line 9 of claim 1, the phrase --a pseudonymous identity comprised of-- has been inserted before the word "encrypted";

In line 15 of claim 1, the phrase "encrypted participant identification data" has been changed to read --pseudonymous identity--;

In line 4 of claim 18, the phrase "a pseudononimous" has been changed to read --the pseudonymous--;

In lines 4-6 of claim 18, the phrase "for carrying out said step of associating the encrypted participant identification data, the response data, and the demographic data with the pseudononimous identity as the encrypted participant identification data" has been deleted.

In line 8 of claim 27, the phrase --a pseudonymous identity comprised of-- has been inserted before the word "encrypted";

In line 13 of claim 27, the phrase "encrypted participant identification data" has been changed to read --pseudonymous identity--;

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In line 15 of claim 28, the phrase --a pseudonymous identity comprised of-- has been inserted before the word "encrypted";

In line 22 of claim 28, the phrase "encrypted participant identification data" has been changed to read --pseudonymous identity--;

In line 15 of claim 29, the phrase --a pseudonymous identity comprised of-- has been inserted before the word "encrypted";

In line 22 of claim 29, the phrase "encrypted participant identification data" has been changed to read --pseudonymous identity--;

In line 1 of claim 33, the number "30" has been changed to read --28--.

REASONS FOR ALLOWANCE

3. Claims 1-35 are pending. All the pending claims are allowed.

4. The following is an examiner's statement of reasons for allowance:

The closest prior art of Challenger teaches an improved electronic voting system that comprising a plurality of cryptographic routines for utilizing in a distributed data processing system to maximize the privacy of both the voter's identity and the content of completed ballots, and an authentication server interacting with a voter and issue electronic ballots and receive completed electronic ballots in a manner which determines the authenticity of the identification of the voter while maintaining the content of the completed ballot confidential.

In regarding to independent claims 1 and 27-29, Challenger taken either individually or in combination with other prior art of record fails to teach or suggest receiving an application for participant registration, the application including participant

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identification data and participant demographic data, and if said application is accepted, then issuing respective registration data including a pseudonymous identity comprised of encrypted participant identification data, and associating the pseudonymous identity, the response data, and the demographic data to product a demographic profile corresponding to an accumulation of the response data from encrypted identities.

5. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The article titled "FAQs on Online Research" by Bowers (Marketing Research: A Magazine of Management & Applications v10n4 pp 45-48, Winter 1998, ISSN: 1040-8460) discloses online survey.

Inquire

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mary Cheung whose telephone number is 571-272-6705. The examiner can normally be reached on M-Th (10:00-7:30) Second Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached on 571-272-6712. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Mary Cheung
Patent Examiner
Art Unit 3621
May 12, 2005



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